

AO 241 (Rev. 09/17)

United States Courts
Southern District of Texas
FILED

JUN 26 2019

David J. Bradley, Clerk of Court

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

United States District Court		District:
Name (under which you were convicted): WYATT Busby		Docket or Case No.: 942706; 1192721
Place of Confinement: H.C.S.O. of Harris County Sheriff Office Texas		Prisoner No.: 1237538; 1606893
Petitioner (include the name under which you were convicted) WYATT BUSBY	Respondent (authorized person having custody of petitioner) v. H.C.S.O. District Court	
The Attorney General of the State of:		

PETITION

- Name and location of court that entered the judgment of conviction you are challenging:
Harris County of Texas Sheriff Office; District Jail Court
Wish to object to the charging language for the best an object to the prior conviction to show error its defective
 - Criminal docket or case number (if you know):
Imposted Case 1535843
 - Date of the judgment of conviction (if you know):
none imposed
 - Date of sentencing:
none imposed
 - Length of sentence:
none imposed
 - In this case, were you convicted on more than one count or of more than one crime? ☐ Yes ☒ No
 - Identify all crimes of which you were convicted and sentenced in this case:
No convicted imposed
- What was your plea? (Check one)

<input type="checkbox"/> (1) Not guilty	<input type="checkbox"/> (3) Nolo contendere (no contest)
<input checked="" type="checkbox"/> (2) Guilty	<input type="checkbox"/> (4) Insanity plea

AO 241 (Rev. 09/17)

(b) If you entered a guilty plea to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to?

pleading guilty of acting in self-defense I wish to obtain a jury trial if to sign a Speed trial Act. I wish to show that my life was in danger of the Court Complainant

(c) If you went to trial, what kind of trial did you have? (Check one)

☒ Jury ☐ Judge only

7. Did you testify at a pretrial hearing, trial, or a post-trial hearing?

☒ Yes ☐ No

8. Did you appeal from the judgment of conviction?

☐ Yes ☐ No

9. If you did appeal, answer the following:

(a) Name of court:

Southern district Court of the United State

(b) Docket or case number (if you know):

2-12-3543

(c) Result:

(d) Date of result (if you know):

(e) Citation to the case (if you know):

(f) Grounds raised:

unfair Speed trial Act of Court 180 of Stabbing the Complainant

(g) Did you seek further review by a higher state court?

☐ Yes ☒ No

If yes, answer the following:

(1) Name of court:

(2) Docket or case number (if you know):

(3) Result:

AO 241 (Rev. 09/17)

(4) Date of result (if you know):

(5) Citation to the case (if you know):

(6) Grounds raised:

(h) Did you file a petition for certiorari in the United States Supreme Court?

☒ Yes☐ No

If yes, answer the following:

(1) Docket or case number (if you know):

(2) Result:

(3) Date of result (if you know):

(4) Citation to the case (if you know):

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? ☐ Yes ☒ No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court:

(2) Docket or case number (if you know):

(3) Date of filing (if you know):

(4) Nature of the proceeding:

(5) Grounds raised:

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes☒ No

(7) Result:

AO 241 (Rev. 09/17)

(8) Date of result (if you know): _____

(b) If you filed any second petition, application, or motion, give the same information:

(1) Name of court: _____

(2) Docket or case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result: _____

(8) Date of result (if you know): _____

(c) If you filed any third petition, application, or motion, give the same information:

(1) Name of court: _____

(2) Docket or case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

AO 241 (Rev. 09/17)

(6) Did you receive a hearing where evidence was given on your petition, application, or motion?

☐ Yes ☒ No

(7) Result:

42 U.S.C.A. 1997e dismiss

(8) Date of result (if you know):

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application, or motion?

(1) First petition: ☐ Yes ☒ No(2) Second petition: ☐ Yes ☒ No(3) Third petition: ☐ Yes ☒ No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not:

Impost on now

12. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE:

Deprived under the 4th, 5th, 6th, 8th, 14th Amendment of 42 U.S.C. District Court of Conviction T.D.C. No 1237538 and 1606893

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

I been deprived by a Speedy trial Act by non-jury of Court 180 were I stabbed the Complainant of Sexual Assaulting me while Sleep I did 5 year with back time to be released and see that him in his family which have my son. That my son been Sexual assault. The Complainant is dead of them say he ~~hate~~ tie of me Complainant when my son come around; therefore he to kill me

(b) If you did not exhaust your state remedies on Ground One, explain why:

I been released 2013 I have no were to go other then my mom home 2014 the Complainant come of bottom on some body 12:30:2016 I to be before a Court of the Charge language with the use of the prior for enhancement and I wish to object and show Deprived use of Character to the prior conviction and show of day spent is a day for day Violation under the gov. Code to 42 U.S.C. 1997e the Violation Code of 10,000 a violation

AO 241 (Rev. 09/17)

(c) **Direct Appeal of Ground One:**(1) If you appealed from the judgment of conviction, did you raise this issue? ☐ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition?

☐ Yes ☒ No

(4) Did you appeal from the denial of your motion or petition?

☒ Yes ☒ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☒ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

Impost to Ensure So.

AO 241 (Rev. 09/17)

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One:

I failed a 11.07 Case No. 942706
an 119272

GROUND TWO:

Monetary damages are of a day for day
of deprivation of the Speedy Trial Act Command. been Violated

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

To Show that 4 year is 48 month an 5 year is 60 month equal 108 month
60 month is 21,900 day an 48 month is 17,520 day equal 39,420; Therefore, the
add of the government Code of Violation of its employee of 10,000 thou.
394,200,000 Mill each plea agreement is Violated of a non-jury Act (add the Mill)
Probable Cause procedure to show (add the Mill) now due process of law the
Conviction to show (add the Mill) my Character was discriminated an Solicitate (add the mill
the 8 command of the imposed; This not like the System (add the mill) the abridge of
my privileges to equal protection of law (add the mill)

(b) If you did not exhaust your state remedies on Ground Two, explain why:

I just station that the
day for day is to up hold the fee of damages to my life that
I look for relief of the deprivation to the prior use. I have
now where to Call home my kids an family don't know me an/cas
they held captive to me of the absent

(c) **Direct Appeal of Ground Two:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

☒ Yes ☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes ☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

AO 241 (Rev. 09/17)

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(3) Did you receive a hearing on your motion or petition? _____

☐ Yes ☐ No

(4) Did you appeal from the denial of your motion or petition? _____

☐ Yes ☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal? _____

☐ Yes ☒ No

(6) If your answer to Question (d)(4) is "Yes," state: _____

Name and location of the court where the appeal was filed: _____

Docket or case number (if you know): _____

Date of the court's decision: _____

Result (attach a copy of the court's opinion or order, if available): _____

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

- (e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: _____

GROUND THREE:

I'm to Show the Prior are defective fundamental use of Enhancement that Show deprivation

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

A Court of inquiry is need of my Past Prior of my State ment of Self-defense of C.C.P. Art 11.15 Will prove 180 district Court Errored the Committed of a plea agreement to the Charges language of Stabbing the person an a 11.07 of the Court Show the hiddings of the Case of my Complaint.

AO 241 (Rev. 09/17)

(b) If you did not exhaust your state remedies on Ground Three, explain why:

Yes I have proof of deprivation where I wish to have a place an job to take care of me cause I don't know if my kid wish to know me.

(c) **Direct Appeal of Ground Three:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes☐ No

(2) If you did not raise this issue in your direct appeal, explain why:

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☐ Yes☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition:

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition?

☐ Yes☒ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

AO 241 (Rev. 09/17)

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: _____

GROUND FOUR: _____

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) If you did not exhaust your state remedies on Ground Four, explain why: _____

(c) **Direct Appeal of Ground Four:**

(1) If you appealed from the judgment of conviction, did you raise this issue?

☐ Yes

☒ No

(2) If you did not raise this issue in your direct appeal, explain why: _____

(d) **Post-Conviction Proceedings:**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court?

☒ Yes

☐ No

(2) If your answer to Question (d)(1) is "Yes," state:

Type of motion or petition: _____

AO 241 (Rev. 09/17)

Name and location of the court where the motion or petition was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion or petition?

☐ Yes

☐ No

(4) Did you appeal from the denial of your motion or petition?

☐ Yes

☐ No

(5) If your answer to Question (d)(4) is "Yes," did you raise this issue in the appeal?

☐ Yes

☐ No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket or case number (if you know):

Date of the court's decision:

Result (attach a copy of the court's opinion or order, if available):

(7) If your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue:

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four:

AO 241 (Rev. 09/17)

13. Please answer these additional questions about the petition you are filing:

- (a) Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction? ☐ Yes ☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them: I don't know No I don't think so

- (b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

I got dismissal so I don't know

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? ☐ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

?

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? ☐ Yes ☐ No

If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.

?

AO 241 (Rev. 09/17)

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing:

Claim

(b) At arraignment and plea:

I'm guilty of Self-defense
untell founded guilty of a Crime.

(c) At trial:

I wish to present fact if
need

(d) At sentencing:

I try to obtain the best I can
do or if Public request of longer why.

(e) On appeal:

what ever odd if there arise
to obtain a better decision

(f) In any post-conviction proceeding:

I wish to show the prior
defective use which I can show deprivation

(g) On appeal from any ruling against you in a post-conviction proceeding:

try to
But 42 U.S.A.C. 1997E dismiss me

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? ☐ Yes ☒ No

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date the other sentence was imposed:

(c) Give the length of the other sentence:

(d) Have you filed, or do you plan to file, any petition that challenges the judgment or sentence to be served in the future? ☒ Yes ☐ No

18. TIMELINESS OF PETITION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.*

I don't have a place to call home and I don't trust no one. I Complaint of my prior and I'm just sitting lock up know way to support my self. I been come up with I deal to make my Contake with the Court easier

AO 241 (Rev. 09/17)

of a grievance Complaint of better Storage
an help with legal work to stay in con take
with the Court to update when need.

Will, I been in and out of jail of my Son
living placement an i'm been ignored to ~~see~~
obtain self for him; of my prior I wish to
Show my Son is an was getting sexual assaulted

Help if not me him.

* The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2244(d) provides in part that:

- (1) A one-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court. The limitation period shall run from the latest of -
 - (A) the date on which the judgment became final by the conclusion of direct review or the expiration of the time for seeking such review;
 - (B) the date on which the impediment to filing an application created by State action in violation of the Constitution or laws of the United States is removed, if the applicant was prevented from filing by such state action;
 - (C) the date on which the constitutional right asserted was initially recognized by the Supreme Court, if the right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
 - (D) the date on which the factual predicate of the claim or claims presented could have been discovered through the exercise of due diligence.

AO 241 (Rev. 09/17)

- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.

Therefore, petitioner asks that the Court grant the following relief:

I have proof of a day for
day Violation the deprived the fairness to obtain of H.C.S.O
District Court I just sit here and I try to help with Ideal.
or any other relief to which petitioner may be entitled.

I don't have one; Wyatt Busby
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on 6/20/2019 (month, date, year).

Executed (signed) on

6/20/19 (date).

Wyatt Busby
Signature of Petitioner

If the person signing is not petitioner, state relationship to petitioner and explain why petitioner is not signing this petition.

He is his self as Wyatt need help he shy an don't know
what to ask for. Will he try the best of his Education
So I'm just try to get him to show his side
to the Court Complaint of his Character.

HARRIS COUNTY SHERIFF'S OFFICE JAIL

Name: Wyllott, David
SPN: 0026177 Cell: 212
Street: 1200 Baker St
HOUSTON, TEXAS 77002



United States Courts
Southern District of Texas
FILED

JUN 26 2019

David J. Bradley, Clerk of Court

INDIGENT



U.S. POSTAGE >>> PITNEY BOWES
ZIP 77002 \$ 000.80
02 4W
0000366269 JUN 25 2019

Clerk
United State District Court

P.O. Box 61010

Houston, Texas, 77208

77208-1000-2019